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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/724,700

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Shuntaro Aratani

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FITZPATRICK CELLA HARPER & SCINTO

1290 Avenue of the Americas

NEW YORK, NY 10104-3800

EXAMINER

RILEY, MARCUS T

ART UNIT

PAPER NUMBER

2625

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/724,700	<b>Applicant(s)</b> ARATANI ET AL.	
	<b>Examiner</b> MARCUS T. RILEY	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 1-8, 12 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-11 and 13-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/29/2004; 02/07/2008</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 17, 2009 has been entered.

### *Response to Amendment*

2. This office action is responsive to applicant's remarks received on September 17, 2009. **Claims 9-11 & 13-15** are pending. **Claims 1-8, 12 & 16** have been cancelled.

### *Response to Arguments*

3. Applicant's arguments with respect to amended **claims 9 & 13** filed on September 17, 2009 have been fully considered but they are not persuasive.

### *A: Applicant's Remarks*

For Applicant's remarks see "*Applicant Arguments/Remarks Made in an Amendment*" filed September 17, 2009.

**A: Examiner's Response**

Applicant argues that nothing has been found in Narushima that teaches or suggests the data obtaining unit and the converting unit claimed in Claim 9. Moreover, Applicant argues that Examiner misconstrued the HTML file disclosed in Fig. 19 of Narushima as corresponding to the script program of Claim 1.

Examiner understands Applicant's arguments but respectfully disagree. Narushima discloses, teaches or suggest the data obtaining unit and the converting unit. Figure 8 of Narushima, #67 shows a Contents Information Memory that obtains data in the memory and #68 shows a Contents Information Converter. Column 12, lines 66 thru column 13, line 4 explains where the contents information memory 67 obtains data by storing the contents information and displays this information on the display device 31. The entire text and picture data, may be transiently stored, or only a portion used for printing by the printer 32 of the contents information for display on the display device 31 may be transiently stored. Column 23, lines 42-57, column 24, lines 3-10 and Figs. 21 and 22 shows at Step S59 of Fig. 22, the STB 30 converts the contents information stored in the contents information memory 67 by the contents information conversion unit 68 and then moves to step S57. At step S57, the STB 30 sends the contents information converted by the contents information conversion unit 68 to the printer 32 through the contents information outputting unit 69.

Moreover, Examiner has not misconstrued the HTML file disclosed in Fig. 19 of Narushima as corresponding to the script program of Claim 1. Fig. 19 shows a script program. That is, the entire program is a script to be executed by the STB 30. The script information distributed by the digital broadcast is converted by the STB into a script suited to printing. Thus,

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Narushima teaches or suggests the data obtaining unit, converting unit and the script program as claimed in Claim 9.

Accordingly, Examiner submits that Claim 9 is not patentable over Narushima. Independent Claim 13 is a method claim corresponding to apparatus Claim 9 and is also not patentable. The other claims in this application depend from one or the other of the independent claims and therefore, are also not patentable for at least the same reasons. As a result, Applicant's Application is not in condition for allowance.

**Claim Rejections - 35 USC § 102**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 9-11 and 13-15** are rejected under 35 U.S.C. 102(c) as being anticipated by Narushima (US 6,774,951 hereinafter, Narushima '951).

**Regarding claim 9;** Narushima '951 discloses a data broadcasting receiving and reproducing apparatus comprising (See Figure 4 wherein Fig. 4 shows a digital television receiver 10. The digital television receiver 10 includes a unitary structure comprised of a receiver 11 for receiving digital broadcast, a display unit 12 for

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demonstrating digital broadcast and a printer 13 for printing a picture comprehended in the digital broadcast. See column 7, lines 34-39 and column 1, lines 9-17):

a receiving unit configured to receive a digital broadcasting wave transmitted from a broadcasting station (See Figure 4 wherein Fig. 4 shows a digital television receiver 10. The digital television receiver 10 includes a unitary structure comprised of a receiver 11 for receiving digital broadcast. See also Figure 8 wherein Fig. 8 shows where a variety of signals are transmitted and received among various components making up the STB 30 as is indicated by arrows. The STB 30 may be configured for receiving a variety of digital broadcast, such as ground wave broadcast, satellite broadcast or wire broadcast.” See column 7, lines 34-39 and column 8, lines 52-65);

a data obtaining unit for obtaining data broadcasting data including displayable content data and text data described in print permission/inhibition information of the content data (See Figure 8 wherein #67 is the Contents Information Memory that obtains data *“In the contents information memory 67, **the entire contents of the contents information displayed on the display device 31, that is the entire text and picture data, may be transiently stored, or only a portion used for printing by the printer 32 of the contents information for display on the display device 31 may be transiently stored.**”* column 12, lines 66-67 thru column 13, lines 1-4);

and a script program executed based on a broadcasting event command included in the digital broadcasting wave, the script program being defined preliminary correspondingly to the broadcasting event command (See Fig. 19 wherein Fig. 19 shows a script program. The script information distributed by the digital broadcast is converted by the STB into a script suited to printing.),

wherein the print permission/inhibition information indicates a set value for permission or inhibition of printing the content data (*“The printer control signal interface 66, connected to a system bus provided in the STB 30, has the function of transmitting/receiving printer control signals to or from the printer 32. **The printer control signals are signals commanding the printer 32 connected to outside from the STB 30 to start or discontinue the print operation or specifying the size or contents of a picture for printing to the printer 32.**”* column 12, lines 18-28).

the text data is described by a markup language (See Figure 10 wherein Fig. 10 shows a variety of markup languages *“...as shown for example in FIG. 10, on the display device 31, **a variety of markup languages, routinely used***

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*in the digital broadcast or on the Internet, may be used. These markup languages may be enumerated by, for example, HTML (hyper text markup language)...*" column 20, lines 25-30),

and the script program is a function for executing a process to convert the set value of the print permission/inhibition information (See Fig. 19 wherein Fig. 19 shows a typical case in which the script information distributed by the digital broadcast is converted by the STB into a script suited to printing.),

a storing unit for storing the data broadcasting data obtained by said data obtaining unit (See Figure 8, #67 wherein the Contents Information Memory stores the data *"The STB 30 may be configured for transiently holding the desired contents information in the contents information memory 67 depending on a user command, or may be configured for updating the contents information comprehended in the received digital broadcast from time to time to store the occasionally updated contents information in the contents information memory 67."* column 12, lines 59-65);

a setting information obtaining unit for obtaining, from the text data stored in the data storing unit, the print permission/inhibition information of the content data (See Figure 8 wherein #68 obtains the text data stored in the data storing unit #67 *"The contents information conversion unit 68 reads out the contents information for printing, from the various contents information transiently stored in the contents information memory 67, and converts the contents of the contents information into contents suited to printing characteristics of the printer 32."* column 12, line 66 thru column 13, line 23).

converting unit for converting the set value indicated by the print permission/inhibition information obtained by the data obtaining unit from one permitting the printing the content data into one inhibiting the content data, or from one inhibiting the printing the content data into one permitting the printing the content data (See Figure 8 wherein #68 is the converting unit. See Figures 21 and 22 wherein Step S59 of Fig. 22, shows where the STB 30 converts the contents information stored in the contents information memory 67 by the contents information conversion unit 68 and then moves to step S57. At step S57, the STB 30 sends the contents information converted by the contents information conversion unit 68 to the printer 32 through the contents information outputting unit 69. See column 23, lines 42-57 and column 24, lines 3-10);

wherein said converting unit comprises a browser adapted to display the content data by interpreting the text data (See Figure 8 wherein #65 is the CPU system used as a browser. The CPU system 65 is

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responsive to various operating commands from the user to control various parts of the STB 30. *“The CPU system 65 also performs the processing of conversion to displayable SI display signals, by performing conversion processing exploiting font data provided in the font ROM, based on the SI control signal output from the data decoder 58... In this manner, the text information may be demonstrated by on-screen display (OSD) based on e.g., the SI information.”* column 12, lines 12-18);

the browser converting the set value indicated by the print permission/inhibition information corresponding to the content data obtained by the data obtaining unit and stored in the data storing unit, (*“The CPU system 65 then performs conversion processing, exploiting the font data provided in the font ROM, based on the SI control signal, for conversion to displayable SI display signals. The data decoder 58 also decodes the contents information for printing by the printer 32 to output the decoded contents information to the contents information memory 67.”* column 10, lines 4-19 );

according to executing the script program corresponding to the broadcasting event command included in the digital broadcasting wave (See Fig. 19 wherein Fig. 19 shows a typical case in which the script information distributed by the digital broadcast is converted by the STB into a script suited to printing.),

**Regarding claim 10;** Narushima ‘951 discloses further comprising a transmitting unit for transmitting printable content data to a print device, based on the print permission/inhibition information obtained by said setting information obtaining unit (See Figure 8 wherein the STB 30 transmits printable content data to a print device *“The printer control signal interface 66, connected to a system bus provided in the STB 30, has the function of transmitting/receiving printer control signals to or from the printer 32. The printer control signals are signals commanding the printer 32 connected to outside from the STB 30 to start or discontinue the print operation or specifying the size or contents of a picture for printing to the printer 32.”* column 12, lines 18-24).

**Regarding claim 11;** Narushima ‘951 discloses further comprising a rendering unit for rendering printable content data, wherein the content data rendered by the rendering unit is transmitted by said transmitting unit to the print device (See Figure 8 wherein #66 is the Printer Control Signal



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Interface that renders printable content data. *“The printer control signal interface 66, connected to a system bus provided in the STB 30, has the function of transmitting/receiving printer control signals to or from the printer 32. The printer control signals are signals commanding the printer 32 connected to outside from the STB 30 to start or discontinue the print operation or specifying the size or contents of a picture for printing to the printer 32. The printer control signals are also signals for furnishing the information such as for completion of the printing operation, shortage of printing sheets or ink, or stuffing of the printing sheets, from the printer 32 to the STB 30.”* column 12, lines 18-28).

**Regarding claim 13;** Independent claim 13 contains substantially similar features as that of apparatus claim 9. Thus, claim 13 is rejected on the same grounds as claim 9.

**Regarding claim 14;** Claim 14 contains substantially similar features as that of apparatus claim 10. Thus, claim 14 is rejected on the same grounds as claim 10.

**Regarding claim 15;** Claim 15 contains substantially similar features as that of apparatus claim 11. Thus, claim 15 is rejected on the same grounds as claim 11.

#### **Examiner Notes**

6. The Examiner cites particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully considers the references in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or as disclosed by the Examiner.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCUS T. RILEY whose telephone number is (571)270-1581. The examiner can normally be reached on Monday - Friday, 7:30-5:00, est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marcus T. Riley  
Assistant Examiner  
Art Unit 2625

/MARCUS T. RILEY/  
Examiner, Art Unit 2625

/David K Moore/  
Supervisory Patent Examiner, Art Unit 2625